

1 Maria K. Nelson (State Bar No. 155608)
2 JONES, DAY, REAVIS & POGUE
3 555 West Fifth Street
4 Suite 4600
5 Los Angeles, California 90013-1025
6 Telephone: (213) 489-3939
7 Facsimile: (213) 243-2539

8 Blaney Harper (*Pro Hac Vice*)
9 JONES, DAY, REAVIS & POGUE
10 51 Louisiana Avenue, N.W.
11 Washington, DC 20001-2113
12 Telephone: (202) 879-3939
13 Facsimile: (202) 626-1700

14 Attorneys for Plaintiff
15 NETWORK CACHING TECHNOLOGY, L.L.C.

16 UNITED STATES DISTRICT COURT
17
18 NORTHERN DISTRICT OF CALIFORNIA

19 SAN FRANCISCO DIVISION

20 NETWORK CACHING
21 TECHNOLOGY, L.L.C.,

22 Plaintiff,

23 v.

24 NOVELL, INC., VOLERA, INC.,
25 AKAMAI TECHNOLOGIES, INC.,
26 CACHEFLOW INC., AND INKTOMI
27 CORPORATION,

28 Defendants.

Case No. CV-01-2079 (VRW)

DECLARATION OF LAURA T. GEYER IN
SUPPORT OF PLAINTIFF NETWORK
CACHING TECHNOLOGY, L.L.C.'S
MEMORANDUM IN OPPOSITION TO
DEFENDANT AKAMAI
TECHNOLOGIES, INC.'S MOTION TO
STRIKE PLAINTIFF'S SECOND REVISED
PRELIMINARY INFRINGEMENT
CONTENTIONS

Date: June 27, 2002
Time: 2:00 pm
Judge: Honorable Vaughn R. Walker
Place: Courtroom 6, 17th Floor

1 I, Laura T. Geyer, declare as follows:

2 1. I am an attorney with the law firm of Jones, Day, Reavis & Pogue, counsel for
3 plaintiff Network Caching Technology, L.L.C. ("NCT"). I have personal knowledge of the facts
4 set forth in this declaration and could and would competently testify thereto under oath if called
5 as a witness.

6 2. Attached hereto as **Exhibit A** is a true and correct copy of two letters from Blaney
7 Harper to Monte M.F. Cooper dated April 9, 2002.

8 3. Attached hereto as **Exhibit B** is a chart summarizing the patents, claims, and
9 Accused Products named in NCT's Second Revised Preliminary Infringement Contentions.

10 4. Attached hereto as **Exhibit C** is a true and correct copy of portions of NCT's
11 Second Revised Preliminary Infringement Contentions Appendix C-1 ("Accused Akamai
12 Product: Freeflow Service") that was served by NCT on April 15, 2002.

13 5. Attached hereto as **Exhibit D** is a true and correct copy of documents bates
14 numbered AKAMAI 110-113; CF 5945-5951; CF 6027-6030; CF 7443-7450; CF 7451-7468; and
15 CF 7482-7485 that were cited by NCT in Appendix C-1 of its Second Revised Preliminary
16 Infringement Contentions. Although the documents bearing CacheFlow bates numbers are
17 marked "Confidential," CacheFlow attorney Sanjeet K. Dutta indicated in his May 23, 2002
18 declaration, ¶ 9, that these documents are all publicly available and need not be filed under seal.

19 6. Attached hereto as **Exhibit E** is a true and correct copy of the District Court
20 opinion in *View Engineering, Inc. v. Robotic Vision Systems, Inc.*, granting sanctions on six of the
21 eight patents at issue, (No. CV-95-1882 (C.D. Cal. June 24, 1996)), which was affirmed by the
22 Court of Appeals for the Federal Circuit in *View Engineering, Inc. v. Robotic Vision Systems,*
23 *Inc.*, 208 F.3d 981 (Fed. Cir. 2000).

24 7. Attached hereto as **Exhibit F** is a true and correct copy of the Declaration of Roger
25 S. Thompson, cited by the Court of Appeals for the Federal Circuit in the case of *View*
26 *Engineering, Inc. v. Robotic Vision Systems, Inc.*, 208 F.3d 981 (Fed. Cir. 2000).

27 8. Attached hereto as **Exhibit G** is a true and correct copy of a declaration by John C.
28 Mitchell, Professor of Computer Science at Stanford University, prepared June 5, 2002.

